



S002411%\$%2005

2003, 2004, 2005

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

The information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: TAMARACK MUTUAL WATER CO;

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

**HAL LUTSKY**  
**1674B LOMBARD ST**  
**SAN FRANCISCO, CA 94123**

STATEMENT NO.: S002411  
CONTACT PHONE NO.: (415)921-4051

Source Name: RUBICON CREEK

Tributary To: LAKE TAHOE

County: El Dorado

Year of First Use: 1925

Diversion Within: SE1/4 of SW1/4 Section 04, T13N, R17E, MB&M

Parcel Number:

A. **Water is Used Under:** Riparian claim \_\_\_\_\_ Pre-1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)				Acre-feet (AF)			Other			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		
2003														
2004														
2005														

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;

Other (specify) \_\_\_\_\_

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO \_\_\_\_\_

Describe any water conservation efforts you have initiated: \_\_\_\_\_  
\_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

8/1/08  
Inactive  
Status

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO \_\_\_\_.

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_.

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_.

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO \_\_\_\_.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002411

TAMARACK MUTUAL WATER CO

~~670 HAL LUTSKY C/O MERCHANTS BOOKSHPING~~  
~~16746 LOMBARD STREET 1880 PLEASANT VLY AVE, SUITE 118~~  
~~SAN FRANCISCO, CA 94123 OAKLAND, CA 94611~~

TELEPHONE NUMBER:

~~(415) 921-4051~~

~~(510) 633-9424~~

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

YEAR OF FIRST USE: 1925

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 04, T13N, R17E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991						60,000 X	60,000 X	60,000 X					1,800,000
1992						60,000 X	60,000 X	60,000 X					1,800,000
1993						60,000 X	60,000 X	60,000 X					1,800,000

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. <sup>+20</sup>  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic Y (HOMES + YARDS)  
Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4/19, 19 94, at Oakland, California

Signature: Coral P. Sprecher

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

## TAMARACK MUTUAL WATER COMPANY

APRIL 18, 1994

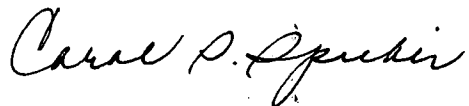
TO WHOM IT MAY CONCERN:

TAMARACK IS AN AREA ON THE WEST SHORE OF LAKE TAHOE WHICH COMPRISES ABOUT 20 HOMES. OUR SMALL WATER SYSTEM IS SUPPLIED BY RUBICON CREEK. THERE IS NO METERING SYSTEM, SO THE FIGURES WHICH I HAVE SUPPLIED ARE NOT EXACT. WE HAVE INQUIRED FROM TAHOE CITY PUBLIC UTILITIES DISTRICT WHAT THEIR AVERAGE HOUSEHOLD WATER USAGE IS DURING THE SUMMER MONTHS. THEIR ANSWER IS ABOUT 1000 GALLONS/HOUSE.

OURS IS ALMOST EXCLUSIVELY A SUMMER HOME AREA. THE FIGURES FROM TCPUD PROBABLY CORRELATE WELL WITH OUR VACATIONING RESIDENTS.

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CONTACT ME. MY TELEPHONE NUMBER IS 415 327-3626

SINCERELY,



CAROL SPIEKER  
PRESIDENT, TAMARACK MUTUAL WATER CO.

STATE WATER RESOURCES  
CONTROL BOARD  
1994 APR 21 PM 12 5  
DIV. OF WATER RIGHTS  
SACRAMENTO

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES  
CONTROL BOARD

1991 JUN 27 AM 11:23

DIV. OF WATER RIGHTS  
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 002411

TAMARACK MUTUAL WATER CO  
C/O ANN H EWER HAL LUTSKY  
625 MARKET STREET 1674-B Lombard  
SAN FRANCISCO, CA 94105 94123

TELEPHONE NUMBER:  
(415) 433-2548  
921-4051

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 04, T13N, R17E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons  
below are: ☐ Acre-feet  
☒ (other)  
NO MEASURING EQUIPMENT

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988						✓	✓	✓					✓
1989		Minor use				✓	✓	✓		Minor use			✓
1990	✓					✓	✓	✓	✓				

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation NONE

Stockwatering NONE

Domestic 12 Hook-ups

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/24/91, 19 at San Francisco, California

Signature: MS

5-2 411

**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S002411

OWNER OF RECORD: TAMARACK MUTUAL WATER CO

~~HAL LUTSKY~~  
~~1674B LOMBARD STREET~~  
~~SAN FRANCISCO, CA 94123~~

*c/o Merchants Bookkeeping & Tax Service  
1880 Pleasant Valley Avenue # E  
Oakland, CA 94611  
Attn: Jeri Dahlen*

SOURCE: RUBICON CREEK  
TRIBUTARY TO: LAKE TAHOE  
COUNTY: EL DORADO  
DIVERSION

WITHIN: SE¼ OF SW¼ SECTION 4, T13N, R17E, MDB&M.

TELEPHONE NUMBER:

(415) 921-4051

YEAR OF FIRST USE: 1925

PARCEL NO: 17-041-231

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

- A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (specify) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	/	/	/	/	/	/	/	/	/	/	/	/	
1993	/	/	/	/	/	/	/	/	/	/	/	/	
1994	/	/	/	/	/	/	/	/	/	/	/	/	

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ☒ acres; Stockwatering n/a; Domestic approx 16 households

Other (specify) fire protection

\* occasional - approximately 10 acres (est.)

**\*\*\* CONTINUE ON BACK PAGE \*\*\***



\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (new pump, enlarged diversion dam, location of diversion, etc.)

n/a

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/26, 1995, at San Francisco, California

SIGNATURE: Samuel M. Livermore

PRINTED NAME: Samuel M. Livermore

COMPANY NAME: Treasurer, Termanach Michael Water Company

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STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5002411

DIVERSION SITE:

OWNER'S NAME Tamarack Mutual Water Company  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 17-041-231

PLACE OF USE:

OWNER'S NAME Tamarack Mutual Water Company  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 17-041-231 17-031-111 17-021-101  
2. PARCEL NO. 17-041-091 17-041-101 17-021-091  
3. PARCEL NO. 17-021-111 17-011-011 17-061-061

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER LESSEE/AGENT/OTHER

NAME Tamarack Mutual Water Company - Attn: Jeri Dahlen  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 40 Merchants Bookkeeping & Tax Service  
1880 Pleasant Valley Avenue #E  
Oakland, CA 94611  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (510) 653-9424

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME Rubicon Mutual Water Company  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS same as above  
(CITY) (STATE) (ZIP)

TELEPHONE NO. ( ) -

2. NAME  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS  
(CITY) (STATE) (ZIP)

TELEPHONE NO. ( ) -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water TAMARACK MUTUAL WATER COMPANY  
Address c/o A. H. Schilling, Room 520, 111 Sutter St., San Francisco
- B. Name of body of water at point of diversion Rubicon Creek  
Tributary to Lake Tahoe
- C. Place of diversion SE 1/4 SW 1/4 Section 4, Township 13N, Range 17E, MD B&M  
El Dorado County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.
- D. Name of works Division Box
- E. Capacity of diversion works 20 cubic feet per second  
Capacity of storage reservoir None gallons  
State quantity of water used each month in gallons or acre-feet  
Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec. Total Annual  
STREAM DIVIDED TO TAKE TAMARACK SHARE OF RUBICON WATER REPRESENTED BY STOCK OWNERSHIP.  
If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 8 Houses  
Served & Domestic Irrigation  
Maximum annual water use in recent years Unknown gallons  
Minimum annual water use in recent years Unknown acre-feet  
Type of diversion facility: gravity ☒ , pump ☐  
Method of measurement: weir ☐ , flume ☐ , electric power meter ☐ , water meter ☐ , estimate ☒
- F. Purpose of use (what water is being used for) Domestic, Irrigation, Fire Protection
- G. General description or location of place of use (use sketch of section grid on reverse side if you desire) SEC 4  
T13N R17E MD B&M, Rubicon Beach
- H. Year of first use as nearly as known Prior to April 27, 1925
- I. Name of person filing statement August H. Schilling  
Position Asst. Secretary Organization TAMARACK MUTUAL WATER CO.  
Address c/o A.H. Schilling, Room 520, 111 Sutter St., San Francisco

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed June 30, 1967

Signature August H. Schilling

See Instructions on Reverse Side